

**PLANNING COMMISSION
REGULAR MEETING SEPTEMBER 12, 2016**

Anthony Whelan, Chairman, opened the meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis
Ray Krzykowski
Robert Clark
Doyle Anderson - 6:06 p.m.
Dave Sletner, Alternate - absent
Sally Brouillet, Alternate

OTHERS:

Sue Goggin, ZEO
Lori Rotella, Assistant ZEO
Wayne Zirolli, Borough Engineer
Carl Herb, Burgess Liaison
Public - 0

1. Anthony Whelan led with the Pledge of Allegiance. He took attendance and noted there was a quorum.
2. Executive session with Borough Attorney.

There was no executive session.

3. Review /Approval of the August 1, 2016 Regular Meeting Minutes.

VOTED: Unanimous on a motion by Harry Jancis and seconded by Robert Clark to **APPROVE** the August 1, 2016 Regular Meeting Minutes as written.

4. NEW BUSINESS

- A. Commission discussion/discussion regarding referral from the Zoning Commission for proposed auto sales and repair shop at 49 Raytkwich Road, Applicant: A Better Way Auto

Attorney Kevin McSherry, 38 Fairview Avenue, Naugatuck for the applicant, A Better Way Wholesale Autos, explained that the applicant had purchased this property approximately a year ago. There was previously a manufacturing company in this building. A Better Way plans to use this building for their sales, repairs and detailing operations. Attorney McSherry explained the setup will be similar to their current setup on Rubber Avenue. The storage lot is currently at the old Risdon site with their sales, repairs and detailing done at their Rubber Avenue site. Once they move into the Industrial Park, 49 Raytkwich Road will be used for sales, repairs and detailing and 18 – 30 Raytkwich Road will be the storage lot. They will continue their operations on Rubber Avenue on a much smaller scale since returning customers tend to go back to the location they originally purchased their vehicle. Attorney McSherry showed the commission on page 3 of 8 on their plans dated August 9, 2016 the

expanded parking lot. He explained the proposed plans for the site. They will not be removing any material from the site but will possibly bringing material in. The new plans will handle the water discharge from the site better than it is currently being handled. The applicant will not be changing the foot print of the building; they will just be changing the interior of the one story building. Harry Jancis questioned how the applicant qualifies as a manufacturing company due to the fact that they are moving into the industrial park. Attorney McSherry stated that the plan for the industrial park ended in 2012 and is now being treated as an industrial zone. A lengthy discussion followed regarding the old regulations for the industrial park zone and what it defaulted to after expiring in 2012. Susan Goggin read into the record under PDD-8, 67.15 why this is not considered to be manufacturing anymore. The change from the PDD-8 took place approximately 4 years ago when the regulations for I-2 took over. Sue was asked if this application went before the Zoning Commission yet. Sue explained the normal procedure took place; Zoning referred this item to the Planning Commission and set the public hearing for Wednesday, September 21, 2016. The Planning Commission will need to send either a positive or negative referral to the Planning Commission. Attorney McSherry explained that his application is no different than the application for 18-30 Raytkwich Road. Susan explained that the applicant still needs Wetlands approval before they can close the public hearing. Wayne stated that the plans look good; the building and parking lot and also the storm water runoff plans. Attorney McSherry noted that Steve Trinkaus designed the system to treat the water better and cleaner. Steve is a leader in Low Impact Development (LID). Harry stated that Steve's plans far exceeded anything anybody else has done. Steve will present at the October meeting. Wayne explained that he was not here when the original plans for the Industrial Park were approved. They were designed with a large detention pond for all properties. Wayne is not treating each application as new for storm water runoff. Bob Clark was originally concerned with the quality of the storm water runoff but feels the new plan is a step forward. Bob Pease didn't recall the original 18 – 30 Raytkwich Road plan being approved for sales. Attorney McSherry gave a brief history of A Better Way Wholesale Autos and their locations throughout the town. They always intended on moving off of Rubber Avenue and selling out of 18 – 30 Raytkwich Road. Tony Whelan asked if Burgess Carl Herb had any insight on the PDD-8 changing to an I-2. Carl did not have any information but did state that A Better Way was the largest employer in town. They also have security on 24 hours a day at their Risdon site. Harry requested that Sue get a letter from Attorney Fitzpatrick for the October meeting, clarifying that the applicant's use is allowed.

Tabled until the October 3, 2016 meeting.

- B. Commission discussion/discussion regarding a referral from the Board of Mayor and Burgesses for the potential sale of .38 acres at Rubber Avenue and Brookside Avenue pursuant to CGS 8-24.

Jim Stewart explained to the commission that the Mayor is looking to possibly sell a parcel of land on the corner of Rubber Avenue and Brookside Avenue to an abutting business. The Borough used this area to previously store salt and sand. It is currently

being used to store plow trucks, some of which are out to bid. Once the Borough acquires the Armory, they will move the trucks not sold to that location. Jim explained that the Borough has not stored their salt and sand at this location for 10 years. It is now being stored behind the Police Department. Naugatuck Tire would like to expand their parking lot into this location. They would also need to go through Inland Wetland for approvals to fill the area to grade due to the brook being in the back of the property. Jim stated there are no environmental issues on the site. Carl Herb – Burgess stated that Naugatuck Tire went before the Board of Mayor and Burgesses and they were all in favor of the sale. Bob Clark had a concern regarding if sidewalks were required at this location. It was explained what approvals would be needed once they purchased the property. Attorney Kevin McSherry stated that he represents this buyer and this is all in the very early stages of purchasing this parcel.

VOTED: Unanimously on a motion by Robert Clark and seconded by Robert Pease that the Planning Commission gives a **POSITIVE** referral regarding the sale of .38 acres on the corner of Brookside Avenue and Rubber Avenue pursuant to CGS 8024.

There was a discussion regarding an ordinance for post construction enforcement of a subdivision. After the subdivision is completed and sold to the individual owners, there is no ordinance to keep the site line free of obstructions like trees. The commissioners would like the Planning Commission Liaison, Carl Herb, to bring this up at the next Board of Mayor and Burgesses meeting. They would also like him to discuss how to put together an ordinance that is enforceable.

C. All new items require a 2/3 vote.

There was none.

5. OLD BUSINESS

There was none.

6. ADJOURNMENT

VOTED: Unanimously on a motion by Harry Jancis and seconded by Robert Pease to **ADJOURN** the meeting at 6:55 P.M.

RESPECTFULLY SUBMITTED:

Ray Krzykowski, Secretary/lr